

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL
FEBRUARY 20, 2007 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Resolution – Construction on State Highways	✓ Resolution Ordinance Motion Discussion Only	David H. Barber, PE Director of Public Works

SYNOPSIS

A resolution has been prepared to provide the Illinois Department of Transportation with assurances for work the Village performs in State highways.

STRATEGIC PLAN ALIGNMENT

The Village Mission states *Our Village Government provides Exceptional Municipal Services* and we are *Fiscally Responsible*.

FISCAL IMPACT

N/A.

UPDATE AND RECOMMENDATION

Due to weather, the Village Council did not discuss this item as a part of the February, 13, 2007, Council Workshop meeting. Public comments were heard on February 13, 2007.

Therefore, it is recommended that the Village Council approve a single motion at the start of the February 20, 2007, Village Council meeting to waive the traditional one-week waiting period to allow for action on appropriate items.

Subject to approval of the motion to waive the traditional one-week waiting period, staff recommends Council discuss this item and proceed with approval, provided there is consensus for support of this item.

BACKGROUND

From time to time it is necessary for the Village to perform work on its facilities in the right-of-way (ROW) of Ogden Avenue and Butterfield Road which are both under the jurisdiction of the Illinois Department of Transportation (IDOT). IDOT requires the adoption of the attached Resolution by the Village Council to perform work within IDOT rights-of-way. This Resolution will expedite the processing of permits during the next two years (2007 and 2008) for any work we are required to perform in the State ROW. This resolution will act as the Village surety bond for any work performed on State routes.

ATTACHMENTS

Resolution

Letter from IDOT (January 24, 2007)

RESOLUTION NO. _____

**A RESOLUTION BETWEEN THE VILLAGE OF DOWNERS GROVE
AND THE ILLINOIS DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Village of Downers Grove, hereinafter referred to as MUNICIPALITY, located in the County of DuPage, State of Illinois, desires to undertake, in the years of 2007 and 2008, the location, construction, operation and maintenance of driveways and street returns, watermains, sanitary and storm sewers, street lights, traffic signals, sidewalk, landscaping, etcetera on State highways, within said MUNICIPALITY, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois, hereinafter referred to as DEPARTMENT, and;

WHEREAS, an individual working permit must be obtained from the DEPARTMENT prior to any of the aforesaid installations being constructed either by the MUNICIPALITY or by a private person or firm under contract and supervision of the MUNICIPALITY;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the MUNICIPALITY hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the DEPARTMENT, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for damages to person or property due to accident or otherwise by reason of the work which is to be performed under the provision of said permit.

2. That all authorized officials of the MUNICIPALITY are hereby instructed and authorized to sign said working permit on behalf of the MUNICIPALITY.

3. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:
Attest: _____
Village Clerk



Illinois Department of Transportation

Division of Highways/Region One / District One
201 West Center Court/Schaumburg, Illinois 60196-1096

PERMITS

RESOLUTION FOR CONSTRUCTION ON STATE HIGHWAY

January 24, 2007

The Honorable Brian J. Krajewski
Mayor
Village of Downers Grove
801 Burlington Avenue
Downers Grove, IL 60515

Dear Mayor Krajewski:

Chapter 121 of the Illinois revised statutes requires that any person, firm or corporation desiring to do work on state maintained rights of way must first obtain a written permit from the Illinois department of transportation. This includes any emergency work on broken watermains or sewers.

A surety bond is required with each permit application to insure that all work is completed in accordance with state specifications and that the right of way is properly restored.

For permit work to be performed by employees of a municipality a resolution is acceptable in lieu of the surety bond. This resolution does not relieve contractors hired by the municipality from conforming with the normal bonding requirements nor from obtaining permits.

The resolution should be enacted for a period of two years. This procedure will save time and effort as well as reduce the annual paperwork associated with an annual resolution.

In order to expedite the issuance of permits to your municipality during the next two calendar years the attached sample resolution should be adopted and a signed and certified copy thereof returned to this office. This resolution does not constitute a blanket permit for work in the State system. A separate application must be made in each instance. In the case of an emergency, verbal authority may be given prior to receipt of the written application. After normal working hours or weekends, this authority can be obtained from our Communications Center at (847)705-4612.

January 24, 2007

Page two

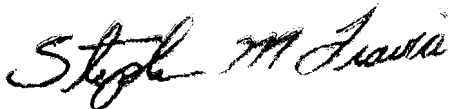
RE: RESOLUTION FOR CONSTRUCTION ON STATE HIGHWAY

We would appreciate the cooperation of your community in withholding the issuance of building permits along State highways until the builder shows evidence of a State highway permit having been obtained. Our permit staff would be willing to answer any questions you may have regarding current policies or practices and to work with your planning commission on any new developments within your municipality.

Do not hesitate to contact Dave Krueger, Acting Permit Manager, at (847) 705-4130 if you have any question or need further assistance.

Very truly yours,

Diane M. O'Keefe, P.E.
Deputy Director of Highways,
Region One Engineer

A handwritten signature in cursive script that reads "Steph M Travia".

By:
Stephen M. Travia, P.E.
Bureau Chief of Traffic